

JOHN A. LAHIVE, JR. (1928-1997) THOMAS V. SMURZYNSKI RALPH A. LOREN GIULIO A. DeCONTI, JR. ANN LAMPORT HAMMITTE ELIZABETH A. HANLEY AMY BAKER MANDRAGOURAS ANTHONY A. LAURENTANO KEVIN J. CANNING JOHN V. BIANCO JANE E. REMILLARD FAUSTINO A. LICHAUCO DAVID A. LANE, JR. LINDA M. CHINN JEANNE M. DIGIORGIO DEBRA J. MILASINCIC, Ph.D. NICHOLAS P. TRIANO, III.

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\* Admitted in NY only \*\* Admitted in MI only

CATHERINE J. KARA, Ph.D. MEGAN E. WILLIAMS, Ph D REZA MOLLAAGHABABA, Ph.D. DAVID J. RIKKERS

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August 20, 1999



**Assistant Commissioner for Patents** Washington, D.C. 20231

lc@lahcoc.com

Re: U.S. Patent Application No.: 09/241,347

ANIMALS TRANSGENIC FOR A TETRACYCLINE REGULATED

TRANSCRIPTIONAL INHIBITOR Inventors: Herman Bujard et al.

Filed: February 2, 1999 Our Ref. No.:BBI-009C4CN

Dear Sir:

I enclose herewith for filing in the above-identified application the following

- Information Disclosure Statement; 1.
- PTO Forms 1449 (Attachments A-C); 2.
- Copies of references (39) cited in PTO Form 1449 (Attachment C); 3.
- A check for \$240.00; and 4.
- A Return Postcard

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 n:

> Amy E. Mandragoura Reg. 36,207

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Amy E. Mandragouras, Reg. 36 for Elizabeth A. Hanley, Reg. 33,505

Attorney for Applicants



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Attorney for Applicants



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Hermann Bujard and

Manfred Gossen

Serial No.: 09/241,347

Filed: February 2, 1999

For: ANIMALS TRANSGENIC FOR A

TETRACYCLINE-REGULATED TRANSCIPTIONAL

**INHIBITOR** 

Attorney Docket No.: BBI-009C4CN

Group Art Unit: 1632

Examiner: Shukla, R.

Assistant Commissioner for Patents Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

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8/0//

Date of Signature and of Mail Deposit

Amy K. Mandragouras, Reg. 36.20

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their attorney are aware of the following publications and information, listed on the *three* attached PTO Forms 1449 (Attachments A-C) in accordance with 37 CFR §1.97. A copy of each cited publication in Attachments A and B was filed in the parent case U.S. Serial No. 08/486,814, filed on June 7, 1995, now issued as U.S. Patent No. 5,866,755, and relied upon for an earlier filing date Under 35

240,00 OP

USSN 09/241,347

Attorney Docket: BBI-009C4CN

U.S.C. 120. Applicants hereby submit those publications from related applications which were not cited in the parent application, as set forth in a *third* PTO Form 1449 (Attachment C).

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

Inasmuch as this Information Disclosure Statement is being filed after July 8, 1999, the mailing date of the first Office Action in the instant application, a check for the \$240.00 fee pursuant to 37 C.F.R. section 1.17(p) is enclosed. Please credit any overpayment or deduct any underpayment to our Deposit Order Account No. 12-0080. For this purpose, a copy of this statement is also enclosed.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Amy E. Mandragouras, Reg. 36,207 for

Elizabeth A. Manley, Reg. 33,505

Attorney for Applicants

28 State Street Boston, MA 02109

(617) 227 7400

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Attachn							Sheet 1	of 2		
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		DA 5,464,758 11/95 Gossen et al.				435	69.1			
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		Complexes A	ldvances l	ificities", <i>Structural</i> In Life Sciences, pp	100is For The Ana . 175-183;	alysis Of F	roten-Nucle	ic Acid		
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	DJ	Bradley, A., (		difying The Mouse:			hnology, Vol	. 10, pp.	534-	
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		Formation." T	he Journa	of Cell Biology 12	пш Specifically в 7 (4): 915-934;	IOCKS ENG	ocytic Coate	ea vesici	е	
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	Früh, K. et al., "A Viral Inhibitor of Peptide Transporters for Antigen Presentation." Nature 375: 415-418 (1995);									
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Attachment C			Sheet 2 of 2	
APPLICANT FACEIMILE OF FORM PTO-1449 REV 7-80	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO	SERIAL NO.	
		BBI-009C4CN	09/241,347	
LIST OF PUBLICATIONS	CIPE BY APPLICANT	APPLICANT		

(Use several sheets if necessary)

Bujard, H. and Gossen,

02/02/99 1632

OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)

	OTHERS (including Author, Title, Date, Pertinent Pages, Etc.)
EA	Gunzburg, WHARAS Salmons, B. "Virus vector design in gene therapy", <i>Molecular Medicine Today</i> 1, pp. 410-417, (1995);
EB	Hammer, R.E. et al. (1986) "Genetic Engineering of Mammalian Embryos." J. Anim. Sci. 63: 269-278;
EC	Houdebine, LM. (1994)"Production of Parmaceutical Proteins From Transgenic Animals", Journal Of Biotechnology Vol. 34, pp. 269-287;
ED	Kappel, C.A., et al., (1992)"Regulating Gene Expression In Transgenic Animals", <i>Current Opinion In Biotechnology</i> , Vol. 3, pp. 548-553;
EE	Krimpenfort, P. et al. "Generation of Transgenic Dairy Cattle Using 'in vitro' Embryo Production." BIO/Technology 9, pp. 844-847 (1991);
EF	Maheswaran, S. et al., "The WT1 Gene Product Stabilizes p53 and Inhibits p53-mediated Apoptosis." Genes & Development 9: 2143-2156 (1995);
EG	Marshall, E. "Gene Therapy's Growing Pains" Science 269, pp. 1050-1055 (1995);
EH	Mastrelangelo et al "Gene Terapy for Human Cancer: An Essay for Clinicians" Seminars in Oncology 23 (1), pp. 4-21 (1996);
EI	Mendez, B. et al. "Heterogeneity of tetracycline resistance determinants" <i>Plasmid</i> 3 pp. 99-108 (1980);
EJ	Muller, G., et al. (1995)"Characterization Of Non-Inducible Tet Repressor Mutants Suggests Conformaional Changes Necessary For Induction", <i>Nature Structural Biology</i> , Vol. 2(8), pp. 693-703;
EK	Mullins, L.J. and Mullins, J.J. (1996) "Transgenesis in the Rat and Larger Mammals." J. Clin. Invest. 98(11) Supplement 1996: S37-S40;
EL	Notarianni, et al., (1994)"Production of pharmaceutical proteins from transgenic animals", Journal of Reproduction and Facility, Vol. 41, pp. 51-56;
EM	Orkin, S. H. and Motulsky, A.G. "Report and recommendations of the panel to assess the NIH investment in research on gene therapy" Dec. 7, 1995.
EN	Pursel et al. "Genetic engineering of livestock" Science 244, pp. 1281-1288 (1989);
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EP	Seamark, R.F. (1994) "Progress and Emerging Problems in Livestock Transgenesis: a Summary Perspective." Reprod. Fertil. Dev. 6: 653-657;
EQ	Shan, B., et al., "Deregulated Expression of E2F-1 Induces S-Phase Entry and Leads to Apoptosis." <i>Molecular and Cellular Biology</i> 14(12): 8166-8173 (1994);
ER	Sizemore, C. et al. (1990)"Quantitative Analysis of Tn10 Tet Repressor Binging To A Complete Set Of <i>Tet</i> Operator Mutants", <i>Nucleic Acids Research</i> , Vol. 18(10), pp. 2875-2880;
ES	Strojek, et al. (1988) "The Use Of Transgenic Animal Techniques For Livestock Improvement", Genetic Engineering, Principles and Methods, Vol 10, pp. 221-246;
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EU	Wissmann, A., et al., (1991)"Amino Acids Determining Operator Binding Specificity In The Helix-Turn-Helix Motif Of Tn10 Tet Repressor", <i>The EMBO Journal</i> , Vol. 10(13), pp. 4145-4152;
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**Date Considered** 

\*EXAMINER:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Attachn							Sheet 2	of 2	
REV 7-80	TFACSIM	ILE OF FORM PTO-1449		TMENT OF COMMERCE D TRADEMARK OFFICE	BBI-009C4CN		SERIAL NO. 09/241,34	47	
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	AN	Efrat, S. et a Transgenic I Sci. USA, 92	I. "Condi Mice Exp 2, pp. 357	tional Transform ressing A Tetrac 6-3580 (1995);	ation of a Pancrea cycline-Regulated	atic β-Ce Oncoger	ne" <i>Proc.</i> N	latl. Acad.	
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	АР	Haase, S.B. Plasmids in I (1994);	et al. "Tr Human C	anscription Inhib ells", <i>Molecular</i>	its the Replication and Cellular Biolo	of Auto gy, <u>14,</u> N	nomously l lo. 4, pp. 2	Replicating 516-2524	
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	AV	Wu, Z. et al. PPARγ and S (1995).	"Conditio Stimulates	nal Ectopic Expi s Adipogenesis",	ression of C/EBPβ , Genes & Develop	in NIH- oment, <u>S</u>	3T3 Cells I 9, pp. 2350	nduces -2363,	
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LIST OF PUBLICATION SCORED BY APPLICANT   Hermann Builard and Manfred Gossen   Hermann Builard   Hermann   Hermann Builard   Hermann Builard   Hermann Buil	REV 7-80								
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DATE   U.S. PATENT DOCUMENTS   DATE	l /	14	essary)	Hermann Bujard and Manfred Gossen FILING DATE GROUP					
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Main	EXAMINER DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING	DATE	
FOREIGN PATENT DOCUMENTS	<sup>AA</sup> 5,221,778	6/93	Byrne et al.		800	2	II AFFRO	PRIATE	
AC	<sup>AB</sup> 4,833,080	05/89	Brent et al.		435	172.3			
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